



## **Staff Report To the Board of Suprvisors**



**Board of Supervisors Hearing  
March 18, 2014**

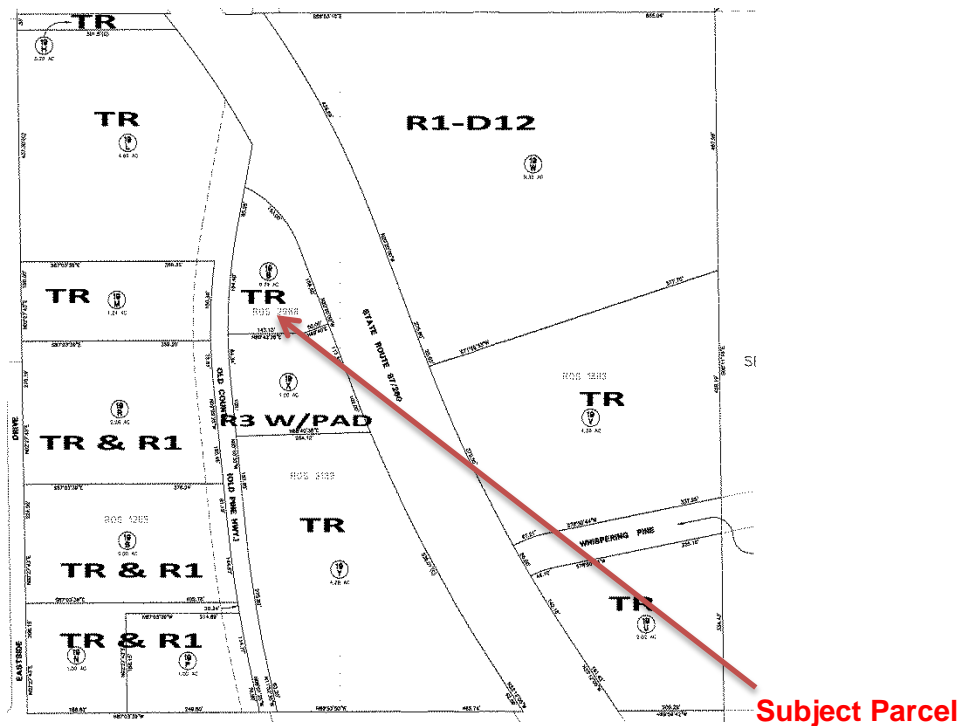
## I APPLICATION

<b>Applicant Name</b>	Michael Dahling
<b>Applicant Address</b>	4926 E. Amelia Ave., Phoenix, AZ 85018
<b>Site Address</b>	Highway 87, Pine, AZ
<b>APN Number</b>	301-19-019B
<b>Current Zoning</b>	<p>TR – Transitional Residential</p> <p><b>Intent and Purpose:</b></p> <ul style="list-style-type: none"> <li>a. To provide a degree of flexibility in land use in transitional areas where a mixture of residential and light commercial uses will be beneficial.</li> <li>b. To allow for certain mixed-use developments subject to an approved site plan, provided such developments shall be in harmony with, and will result in a minimum disruption to, surrounding uses.</li> <li>c. To create transitional zones to serve as buffers between residential districts and commercial or industrial districts.</li> </ul>
<b>Current Comprehensive Plan Designation</b>	<p><b>Multi-Functional Corridor</b></p> <p>The Multi-Functional Corridor category denotes areas of the county that are located adjacent to a primary transportation route and where a mixture of land uses are desirable based upon the specific locational characteristics of the land. The Multi-Functional Corridor category is designed to capitalize on the land use opportunities resulting from proximity to and visibility of a primary vehicular transportation corridor. The uses permitted in the Multi-Functional Corridor category are intended to respond to the unique opportunities, scale and functions that exist in the different areas of the county. Development in this category typically occurs on lots that are wide and shallow due to the linear nature of the adjacent transportation facilities. The potential negative impacts of a linear development pattern, if any, should be addressed through site planning, buffering and after design considerations. Additional uses permitted within the category shall include farming, ranching and those uses otherwise permitted by state statute.</p>
<b>Application Number</b>	<b>Z-13-02</b>

## II Purpose & Description

There are currently two structures on the property. One of the structures is proposed to be a Pizza Restaurant with beer and wine sales. Pizzas will be prepared in a brick oven. There is also a proposal to construct five cabins on the southern boundary of the property to be used for transient visitors.

## III Zoning Regulations



Zoning for the much of the surrounding properties are either TR (Transitional Residential) or R1 (Residential) The above map depicts the current zoning situation for the area. Immediately to the north of this map is C2 (Community Commercial) and C3 (Regional Commercial)

The transitional residential zoning district allows a limited degree of neighborhood type commercial development. The primary purpose is to ensure that any use is compatible with adjacent residential uses.

This property is located along State Highway 87 and is dedicated as a Multi-functional Corridor in our Comprehensive Plan. This designation is compatible with the requested C2 zoning so no amendment to our Comprehensive Plan will be required.

The applicant originally requested C3 zoning. Staff was concerned about some of the permitted uses allowed in C3 zoning such as sale of liquid petroleum gas, bill boards, Junk Yards, warehousing etc.

The property directly across the street is currently going through the application process to rezone their property to C2 to build a convenience store.

#### **IV Primary issue or issues to consider**

Compatibility with the surrounding properties, particularly the residential properties are of paramount concern. Care should be taken to provide landscaping and appropriate fencing and shielded outdoor lighting to ensure that activities at this property don't intrude on the residential properties.

Property to the west does have residential development. To the north is commercial development and vacant land, to the east is vacant land and to the south is a mini storage facility with R3 zoning.

#### **V Background**

Both of the structures have been permitted. The smaller structure was moved onto the property in 1988 and was permitted and inspected by the County. The larger structure was permitted in 1978 but was not inspected because the County had not adopted a building code at that time. Current signage was permitted in 2008.

Parcel 301-19-019B (.8 acres) was created in 2005 through a record of survey.

Zoning for the parcel was completed in 1973 or 1974. At that time TR zoning went from the centerline of the State Highway back for 300 feet through Pine. This included all of parcel 301-19-019B.

#### **VI Analysis**

The State Highway through the Town of Pine provides more than neighborhood commercial services. To an extent it actually provides a regional level of services to the outlying communities and Strawberry, but the development pattern that you see today is similar to intermediate commercial and not major commercial activities. C2 zoning is an intermediate commercial zoning district and very appropriate for highway development through Pine.

This is a level lot providing no constraints to development and very limited vegetation to be removed.

The parcel has good ingress and egress from both the Old County Road and the State Highway.

#### **VII Summary**

Staff find that the proposed zoning and use are appropriate for development along the State Highway with the proper precautions to ensure compatibility with the surrounding properties.

## **VIII Planning & Zoning Commission Meeting 2 20 2014**

The Planning and Zoning Commission held a public hearing on this application on February 20<sup>th</sup> and after discussion and hearing of the application they unanimously agreed to recommend approval of this application to the Board of Supervisors with one additional condition to the conditions recommended by staff. That additional condition included a solid fence and landscape screening to buffer current residential development on the other side of the Old County Road.

## **IX Recommended Motion:**

I move to recommend approval of Application Z-13-02 to allow the development of a restaurant with the sale of beer and wine and the development of five cabins for visitor use with the following condition:

1. That if the proposed uses are not installed within 18 months the Board of Supervisors, at their discretion, may take action to revert the zoning back to TR, and
2. That the applicant will address all county requirements for development approval, to include County Health Division, Wastewater Department, Building Department, Public Works Division etc., and
3. That all lighting shall be appropriately screened to avoid potential intrusions onto residential development, and
4. That the applicant shall provide an opaque fence and landscaping to buffer this commercial use from adjoining residential uses on the Old County Road.